

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application.

1. (Currently Amended) An isolated nucleic acid molecule ~~selected from the group~~ consisting of:

- (a) ~~an isolated nucleic acid molecule comprising~~ nucleotides 390-4880 of SEQ ID NO: 1;
- (b) nucleotides 390-4883 of SEQ ID NO: 1;
- (c) nucleotides 12-4904 of SEQ ID NO: 3; or
- (d) nucleotides 12-4907 of SEQ ID NO: 3; and
- (e) the complement of nucleotides 390-4880 of SEQ ID NO: 1;
- (f) the complement of nucleotides 390-4883 of SEQ ID NO: 1;
- (g) the complement of nucleotides 12-4904 of SEQ ID NO: 3; or
- (h) the complement of nucleotides 12-4907 of SEQ ID NO: 3
- ~~(b) an isolated nucleic acid molecule comprising the complement of a nucleic acid molecule of (a).~~

2. – 4. (Cancelled)

5. (Previously Presented) The isolated nucleic acid molecule of claim 1, wherein said nucleic acid molecule is operably linked to one or more expression control elements.

6. (Previously Presented) A vector comprising an isolated nucleic acid molecule of claim 1.

7. (Currently Amended) An isolated host cell transformed to ~~contain~~with the isolated nucleic acid molecule of claim 1.

8. (Currently Amended) An isolated host cell comprising ~~a the~~ vector of claim 6.

9. (Currently Amended)     A ~~The isolated~~ host cell of claim 8, wherein said isolated host cell is selected from the group consisting of a prokaryotic host cells and an eukaryotic host cells.

10. (Currently Amended)     A method for producing a polypeptide comprising transforming a host cell with an isolated nucleic acid molecule selected from the group consisting of:

(a) nucleotides 390-4880 of SEQ ID NO: 1;

(b) nucleotides 390-4883 of SEQ ID NO: 1;

(c) nucleotides 12-4904 of SEQ ID NO: 3; or

(d) nucleotides 12-4907 of SEQ ID NO: 3; and

culturing ~~a-the~~ host cell transformed with the isolated nucleic acid molecule ~~of claim 1~~ under conditions in which the protein encoded by said nucleic acid molecule is expressed.

11. (Currently Amended)     The method of claim 10, wherein said host cell is selected from the group consisting of a prokaryotic host cells and an eukaryotic host cells.

12. - 23. (Cancelled)

24. (Withdrawn) A non-human transgenic animal modified to contain a nucleic acid molecule of claim 1.

25. (Withdrawn)     The transgenic animal of claim 24, wherein the nucleic acid molecule contains a mutation that prevents expression of the encoded protein.

26. (Withdrawn)     A method of treating a disease state in a subject, comprising:  
inserting into a diseased cell a gene construct comprising an isolated nucleic acid molecule of claim 1 linked to a promoter or enhancer element such that expression of said nucleic molecule causes suppression of said disease.

27. (Withdrawn)      The method of claim 26, wherein said inserting into a diseased cell is accomplished *in vivo*.

28. (Withdrawn)      The method of claim 26, wherein said inserting into a diseased cell further comprises use of a viral or plasmid agent and is accomplished either *in vitro* or *in vivo*.

29. (Withdrawn)      A method of diagnosing a disease state in a subject, comprising: determining the level of expression of a nucleic acid molecule of claim 1.

30. (Withdrawn)      The method of claim 26, wherein the disease state is cancer.

31. (Withdrawn)      The method of claim 26, wherein the disease state is a malignant neoplasm.

32. (Withdrawn)      The method of claim 31, wherein the malignant neoplasm occurs in the breast, colon, esophagus, kidney, liver, lung, lymph node, ovary, pancreas, prostate, rectum, and/or stomach.

33. – 36. (Cancelled)